

P. W (1945) Department

Ms SERIES.

G.O. No. 1277.

Dated 7. - 5 - 1945.

[Despatch Abstract.]

- Mangalore - North Reclamation land - Draft Order for
grant - approved.

From

The Port Officer,
Mangalore

Received..

Registered

The Presidency Port Officer,

M. A. D. R. A. S.

MADRAS

No. 246/44-2

dated 1st May

1944

Mangalore Port - North reclamation
land - leases

Submitted.

A plot of port reclaimed land measuring 1038.5 sqt. was leased to Mizar Krishna Annappa Pai on a 25 years lease from 1-3-1940 for the purpose of erecting a godown (plot A on sketch enclosed) and another plot adjacent to it 132.7

in extent was leased to Mr. Mizar Govinda Pai of Messrs Mizar Annappa Anantha Pai & Sons for the purpose of erecting an office (plot B. on sketch enclosed) for 25 years from 1-1-1938.

Mr. Mizar Krishna Annappa Pai applied for permission to construct an office as per plan enclosed. Copies of the marginally noted correspondence are also enclosed for reference.

2

PORT OFFICE

As the proposed construction is on two plots granted to two different persons, the parties concerned now state that they are prepared to take out a single lease deed in the name of the firm of which they are the partners.

Permission to construct the proposed building may be granted if there is no objection.

W. E. Brown

PORT OFFICER.

1. Letter from M.K.A. Pai dated 23-10-'43
2. " to do. 29-10-'43
3. " from M.K.A. Pai & Co. dated No. 2047/43-2, 18-12-1943.
4. " do. 26-1-1944
5. " do. 27-1-1944
6. " from do. No. 246/44-1, 14-2-1944
7. " from M. Govinda, Pai 21-4-1944.

In extent was referred to Mr. Mistry
 Govinda Pai of Messrs Mistry and
 to the Port Office for the purpose of
 erecting an office, plot B on sketch
 enclosed (2) 27 years from 1-1-1938.
 Messrs Krishna and Co. have applied
 for permission to construct an office
 on plot B enclosed. Copies of the
 marginally noted correspondence are
 also enclosed for reference.

Encl. Two files due to 1943
for reference
reference to this case
simple case is resolved

No. 1144 g/m-2

Presidency Port Office,
Madras, 24th July 1944.

From The Presidency Port Officer, Madras.

11. 46/4
*Submitted to the Secretary to Government, Public Works Department, Madras with reference to G.O.No.512 Finance(Marine) dated 11-12-1933 and G.O.No.Ms.1810 Public Works Department dated 10-9-1937.

2. If the Government approve a single lease deed may be taken as advised by the Collector of the South Kanara District and the Government Solicitor, Madras.

3. The relevant correspondence on the subject is enclosed for reference and return.

M. Balunfath

Encls:-18 Sheets

Presidency Port Officer.

*Letter from the Port Officer, Mangalore^{3rd}/No.246/44-2
dated 1-5-44.

M.R.22.

721

DUPLICATE.

date and time
of arrival
of vessel.

10 ⁷/₁₂

Port

Date

Muzigola
10-6

RECEIPT FOR PORT DUES.

received from the

Master
Agent

of S.S.

C. Mohican Bl

port)

Amur

the sum of Rs

1-6-6

in words)

one 10/6

in account of Port dues on

17.98

tons under class

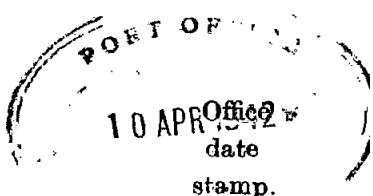
es

annas and

three

pies per ton.

Signature of the
Master or Agent
of the vessel.

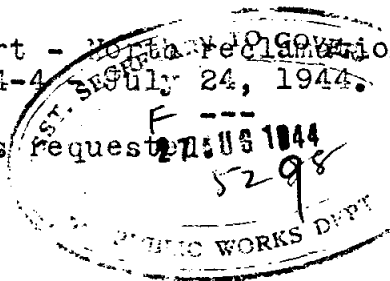


Post copy of telephonic message.

o the Secretary to Government, Public Works Deptt., Madras
ated 25th August, 1944.

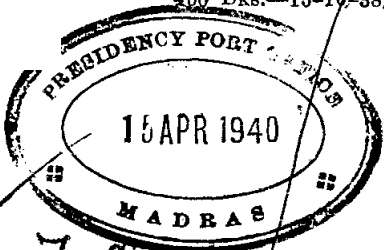
Mangalore Port - Northern Reclamation land - lease
My 1144 G1/44-4 July 24, 1944.

Orders Requested



M. Balufoote
Presidency Port Officer.

450 Bks.—15-10-38.



TE.

Port

Trichy

Date

8

1940

PORT DUES.

Admission

Arriving from

of

Rs.

(4. 00 62)

Trichy to Madras

1 tons under class (E)

1 pies per ton.

[Signature]

Port Officer.

Port Conservator.

11/9

67/

Om. NO 4674 P/44-3 8 9-9-44

Pots. Mangalore - Nova reclamation
area - lease of lands.

From the P.O. no 11448/1/44 of 24-7-44

The ~~P.O.~~ attention of the P.O.
drawn to Om. no 2383 P/44-5 of 29.8.44
It is requested to submit for the
approval of Govt, a draft ~~of P.O. no 11448/1/44~~ ^{of P.O. no 11448/1/44} ~~of P.O. no 11448/1/44~~
~~of P.O. no 11448/1/44~~ for the grant of lands to the
Company, embodying the conditions set
out in the memo: cited referred to a

Pt. P. K.

11/9/44

11/9/44

improvements are considered. For order
whether any of the Port authorities ^{or} should be
Gosa, Bombay, ^{or} Calcutta ^{a Cochin} should be consulted
for expert advice.

Post Copy of Telephonic message.

the Secretary to Government, Public Works Department,
d 13-9-44. Madras.

ports - Mangalore - North reclamation area
lease of lands - Government Memo. No. 4674 F-44.
P.W.D. dated 9.9.44.

The enclosures sent with this office
letter No. 1144 G1/44-4 dated 24-7-44 may please be
returned


Presidency Port Officer.

10
219
D. H. ... to ...
... removed of ...
... 44-1-81 ...

P.C. 2 T.M. No 4674 F/44-4819.9.48
To the P.R.A. - ...
Sub: same as ...
Ref: ...

HC-31C
The enclosures are returned
...
... 4-14/10 ...

ONE ...
...
...

JW DEPARTMENT.

REMINDER.

Branch.

TO THE Presidency Govt Office

have the honour to invite

I am directed to invite

invite

attention to

Govt

No. 46747/44-3, dated 9.9.44 and

~~to request that the reply to it may be expedited~~
request that this reminder may be returned at once
with information as to—

- (1) the stage at which the matter now is, and
- (2) the date by which a reply may be expected,
and
- (3) the circumstances which have caused the
delay.

Office PWD

Station Sect

Dated 21 10 44

W. R. Ramani
Signature.

Under Secretary to Govt

Designation.

SUBJECT

Ports - Mangalore -
North reclamation area
ease of land

No. 1144 g/cu - 6 dt. 28/10/1944

REPLY.

To THE Under Secretary to Govt.

Public Works Department,
Madras.

Sir,

20-10-44
3164
"44
A draft form of ~~PUBLIC WORKS DEPT~~
the occupation of lands in the
South reclamation area has been
submitted for the approval of
Government - vide this office
Endt. to Government No. 2189 G1,
44-3 dated 18-10-44. (657

2. As the same form of grant
is to be adopted for the occupa-
tion of lands in the north
reclamation area also - vide
Government Memo referred to, over
request to be informed whether
it is necessary to submit to
Government a separate draft form
for approval.



Presidency Port Officer

AT/28.

S. P.P.O.'s letter on p 2 ante
The file relating to the go
of land in the South Reclamation
area referred to in para 1 at
has been sent to Rev. & Leg
scrutiny of the draft for
subtd by the P.P.O. As the
of grant in respect of the Nor.
Reclamation area is stated
the same for that of the S.
no separate draft from
the North Reclⁿ area app^r
necessary, as stated by the
This may perhaps be one
orders in file 23831

Robt
Zimmer 3/11

From the Port Officer, Mangalore.
To the Presidency Port Officer, Madras.
No.2038/44-1 dated 6/9--10--1944.

Mangalore Port - North reclamation land - Joint
lease to Messrs. Mizar Krishna Annappa Pai & Co.
for two plots - Your No.1144 Gl/44-3 dated
28-9-44.

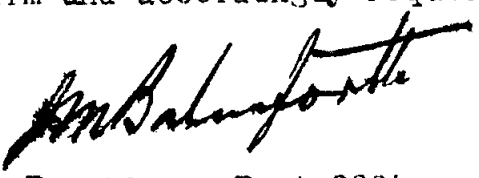
In this connection it is submitted that the lease of one
plot dates from the 1st January 1938 and expires on the 31st
December 1962 and that of the other dates from the 1st March
1940 and expires on the 28th February 1965. In granting a
combined lease for the two plots, it is presumed the lease
should be granted so as to expire on the 31st December 1962,
the former of the two expiring periods, and I request orders on
this point.

-- + 4 gl/44-6

Submitted to the Secretary to Government, Public Works
Department, Madras, with reference to this office No.1144 Gl/
4-6 dated 28-10-44.

The firm is agreeable to obtain a consolidated lease mak
t to terminate on 31st December 1962. They have also given an
undertaking to the effect that by the consequential curtailment
of the term of the lease expected to expire on 28-2-1965, they
will not claim refund of the rent paid in advance either in the
year of the commencement of the grant or at the end - vide their
letter to the Port Officer, Mangalore dated 3-11-44 copy attached.
I consider that there is no objection to a consolidated grant
being given as agreed to by the firm and accordingly request
approval of Government thereto.

Madras, 13-11-44.


Presidency Port Officer.

From Messrs. Mizar Krishna Annappa Pai & Co., Mangalore.
To the Port Officer, Mangalore.
Dated 3-11-44.

North reclamation - Consolidated lease for two plots - Your
letter No.2038/44-45 dated 30-10-44.

As the term of the lease in respect of Port reclaimed
land expected to expire on 28-2-1965 will be curtailed by two
months according to the arrangement for a consolidated lease for
two plots on the north reclamation area, agreed to by us, we
hereby undertake not to claim refund of the rent for that
proportionate period paid in advance in the year of commence-
ment of the grant or at the end.

Thanking you, we remain.

from the Engineer Supervisor, Light House Works, Madras,
to the Presidency Port Officer, Madras.
S-7.MW/41 dated 6-6-41.

Through the Superintendent of Lighthouses, Madras.

In connection with the overhaul of the spare flashers at
the workshops for use at the various stations, I have the honour
to state that it is necessary to have a record of the heights of
the burner stems to adjust the spare flashers for the respective
stations. I therefore request that the Port Officers and Port
Conservators may please be asked to furnish the height, from
the base of the flasher to the tip of the burner, of the flashers
in use.

2. Also they may be asked to furnish the dates on which the
flashers in use were fitted.

Forwarded.

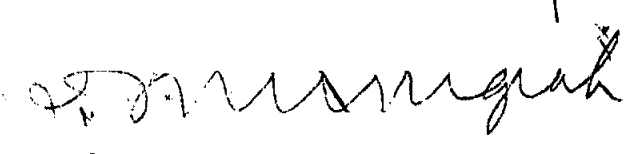
Engineer E. Whayman
Licut-Commander R.I.N.,
For Superintendent of Lighthouses.
Mercantile Marine
Office,
Old High Court Buildings,
Madras, dated 9th June '41.

No. 1154-G1/41-1

Copy forwarded to all Port Officers.

2. A report in respect of the lights at their ports and the
sub ports under their jurisdiction may please be forwarded to
this office.

Madras, 14-6-41.


for Presidency Port Officer.

Copy to the Port Conservators, Baruva, Calingapatam,
Bimlipatam, Adirempatam, Pamban, Ponnani, Tollicherry and
Cannanore.

On~~no~~. 4674 F '44-6

Sub: Ports Mangalore - North Reclamation
land - single lease deed - proposed app^l

Ref: From to PPO 1144-yl/44-4 & 24.7.44
- do.. 1144-yl/44-6 & 13.11.44

The Govt approve the proposal to grant a single lease terminable on 31.12.62 in favour of messrs. Kizhar Krishna Annappa Pai Mangalore, in respect of the two plots of the Port land in the North Reclamation area, previously leased to Mr. Kizhar Krishna Annappa Pai and Mr. Kizhar Gorinda ~~Pai~~. The lease deed should generally be in the form annexed

Mr. No. 3164 Pw (Marine) of 15-11-44.

(G)

should also provide for cancellation of the existing lease deeds.

The P.W. is requested to submit the draft of the single lease deed for final approval by Govt.

Wm 3
9.12.44

He
Gover

By
11/12/44

To
✓ The P.P.
11/12/44

P.W.

DEPARTMENT

REMINDER.

F. Sechini

Branch.

To THE Residency Port Office~~I have the honour to invite~~I ~~am directed to invite~~

I invite

attention to MemorandumNo. 4674 F/44 ⁶ dated 11.12.44 and

~~to request that the reply to it may be expedited~~
 request that this reminder may be returned at once
 with information as to—

- (1) the stage at which the matter now is,
- (2) the date by which a reply may be expected,
and
- (3) the circumstances which have caused the delay.

Dated 1.1.45.

Station Port St. George.Dated 24.1.45.

W. L. G. H. M.
 Signature.

Under Secretary to G
 Designation.

SUBJECT: 24/1/45

Pals: Mangalore. North Redan
land. Single lease dead - dra
Submission of.

No. 11469-8

C.F. 92

REPLY.

2 FEB 1945

P 623

THE CHIEF SECRETARY to Government,
Public Works Department, Madras.

The draft single lease deed is
attached for final approval.

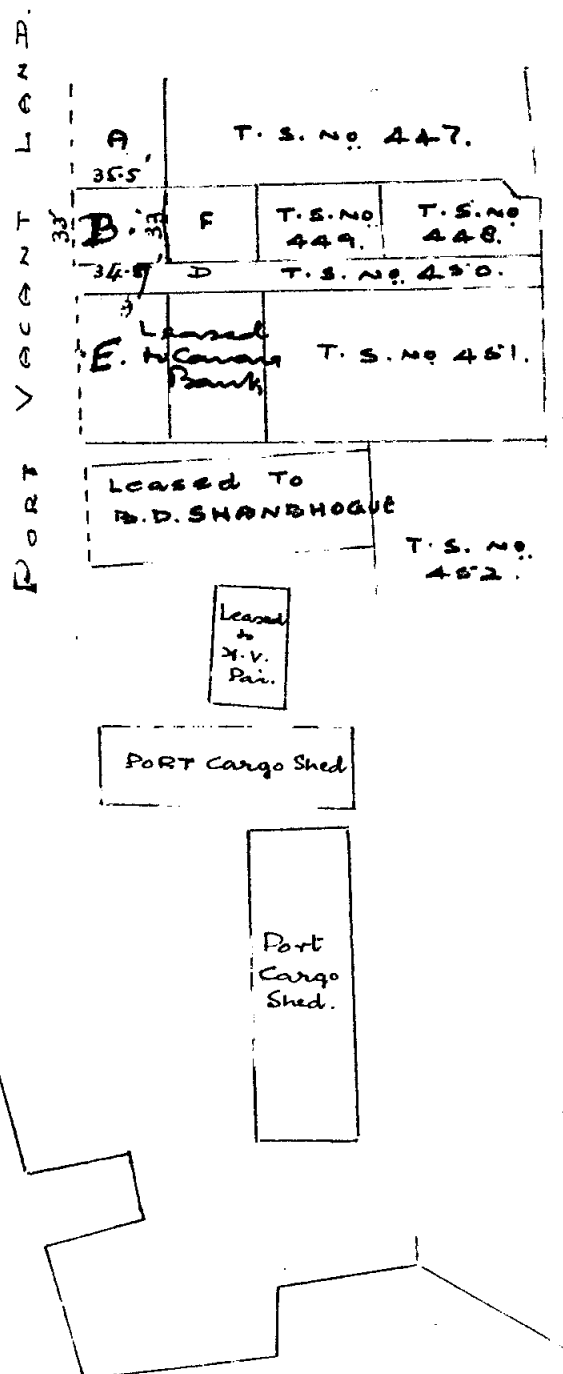
M. Balaji

s.) Presidency Port Officer.
5.)

encl:- One draft lease deed
and one plan.

A.30.

Dangalore North Reclamation Area



Leased to
M.V. Pai.

Leased to
M.V. Pai.

Port vacant land.

Port land leased to
Canal Bank Ltd.

Plot licensed to Saranathi
alias Rukmaniam

Port Reclamation land - Vacant

GRANT ORDER OF GRANT OF PORT LAND FOR TEMPORARY OCCUPATION FOR
NON-MARINE PURPOSES.

The land specified in the Schedule is hereby granted to Messrs Kizar Krishna Annappa Pai & Co., Mangalore for temporary occupation for a period of 18 (Eighteen) years commencing from the 1st January 1945 subject to the following conditions to which the aforesaid grant has agreed:-

(1) The grant is liable to cancellation if it be found that it grossly inequitable or was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure. Cancellation on any of these grounds may be ordered by authority to whom the sanctioning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall not transfer to any other person the right hereby conveyed to him, without the previous sanction of the authority which has made the grant.

(4) The grantee shall, so long as the grant be in force, pay in advance to the Government of Madras (hereinafter called the Government) annually a sum of Rs. 72/- Seventy-two only, clear of all deductions ~~credit~~ the first of such payments having been made on the day of ~~the~~ and the subsequent annual payments to be made on the corresponding day of the succeeding years.

(5) The grantee shall bear, pay and discharge all existing and future Municipal and other taxes, charges, assessments and outgoings payable in respect of the land as a result of his occupation of the same.

(6) The grantee shall not use the land or suffer it to be used except for the purposes of ^{constructing a} ~~the~~ godown and office which are the following Godown to store goods intended for shipment of cargo and office.

(7) The grantee shall erect ^{the said} Godown and office within a period of three years of the grant in accordance with the designs drawn to scale and approved by the Presidency Port Officer, Madras.

(8) The land and the building(s) thereon shall not be used for political meetings.

(9) The grantee shall not, except as provided in condition (7) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(10) The grantee shall maintain the ~~said~~ land in a clean and sanitary condition to the satisfaction of the assigning authority and shall also maintain the structures, if any, erected thereon as aforesaid, in good and substantial repair to the satisfaction of the assigning authority.

(11) The grantee may uproot, cut down or destroy such trees, plants, groves or bushes as, in the opinion of the assigning authority, it is necessary to uproot, cut down or destroy, to make the land fit for purposes of constructing godown and office and may take them free of charge and dispose of them in any manner he likes. The grantee may level the ground by removing embanked pathways and filling up low-lying places on the land so as to make the ground fit for the purpose of constructing godown and office and may mow and cut the grass thereon and dispose of the same in any manner he likes and do any work on the land and which, in the opinion of the assigning authority, is necessary for such purpose.

(12) The grantee shall remove immediately any unauthorized building or structure, on receiving notice from the assigning authority.

and in default of immediate compliance with any such notice, the assigning authority shall have power to remove the same and the grantee shall, upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed, and take delivery of the same. The grantee shall have no claim to any materials removed under this condition which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand made as aforesaid.

(13) The grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (6).

(14) The grantee shall, on the termination or revocation of this grant, restore the ~~said~~ land to the assigning authority in as good a condition as is consistent with the foregoing conditions.

(15) The grantee shall be answerable to the Government ~~[of Madras]~~ for all or any injury or damage done to the land and other Government property thereon except as is permitted by the foregoing conditions.

(16) The assigning authority may revoke the grant wholly or in part, if the amount specified in condition (4) ~~above~~ or any part thereof shall remain unpaid for 15 days after it has become payable, whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(17) If the amount specified in condition (4) ~~above~~ or any part thereof is in arrear, it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(18) If and whenever the Government shall require the land herein specified for a public purpose (the decision of the Presidency Port Officer, Madras, as to the same being final) it shall be lawful for the assigning authority to give six calendar months' previous notice in writing of the intention to revoke the grant and on expiry of the period fixed in such notice the present grant and every clause or thing herein contained shall become null and void. The grantee shall be entitled to compensation only for the masonry structures put up on the land by the grantee in accordance with the conditions herein contained. The decision of the assigning authority as to the amount of compensation payable to the grantee shall be final and binding on the grantee and shall not be open to question or objection. The grant shall be terminable by the grantee by giving to the assigning authority six calendar months' previous notice in writing but without prejudice to any right of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not, in case of such revocation or termination be entitled to any compensation in respect of any buildings, fences and structures on the land or of any other improvements effected by the grantee to the land but he may before the revocation or termination of the grant takes effect, or if the grant is revoked without notice within such time as may be allowed by the assigning authority in that behalf, remove such buildings, fences and structures.

(19) If the grantee be desirous of taking a renewed grant of the land for a further term of twentyfive years from the expiration of the term hereby granted and shall prior to the expiration of such last mentioned term, give to the Presidency Port Officer, Madras, six calendar months' previous notice in writing and shall pay the sum hereby reserved and observe and perform the several conditions and agreements herein contained and on the part of the grantee to be observed and performed to the expiration of the term hereby granted, the assigning authority will, upon the request and expense of the grantee, ~~renewed~~ ^{renew} grant to him a ^{renewed} grant for a further term of twenty-five years at such sum as may then be fixed but otherwise upon the like terms and under and subject to the same conditions and agreements as are contained in this grant

other than the present condition for renewal and the provision for compensation for masonry structure contained in clause (18).

(21) This order of Grant cancels the indenture made on the 20th day of April 1938, between the Governor of Madras and Mr. Mizar Govind Pai of Mangalore in respect of a plot of Port reclamation land measuring 33 ft. North and South by 8 1/2 ft. East and West and the indenture made on the 30th day of August 1940 between H.E. the Governor of Madras and Mr. Mizar Krishna Annappa Pai of Mangalore in respect of a plot of Port reclamation land measuring 35.5/26.5 ft. East and West, and 33 ft. North and South ~~measuring 35.5/26.5 ft.~~.

(22) The grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it or usually held or enjoyed with it. The existing and customary rights of the Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of the Government to the mines and quarries, ~~subject~~ to the land, are, however, reserved and are in no way affected by the grant.

South	Mangalore. Casba	No.9	35.5 by	North by Port
Amara.	Bazar	Bunder.	34.7 ft.	partment
	village.		East &	reclamation land
			West. &	ed to H. E. the
			33 ft.	Mallia ~~Plot A on 81~~
			North &	South by Port
			South or	clamation land
			1158.3	abutting T.3.
			sq.ft.	450. ~~Plot D. on 81~~
				East by Port
				clamation land
				leased to Mr.
				satish ~~Plot E~~
				East by Port
				clamation land
				plot ~~Can sketch~~

Place and
Date

Signature and designation of
Assigning authority.

ANNEXURES
Plan(s), if any (to be specified).

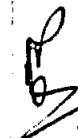
Om. No. 4674 F/44.8 dated 28.2.45

Sub. Port. Mangalore. North Reclamation in law
Single lease deed.

Ref: From the P.P.O. No. 1144 G/44.8 d/ 1.2.45

The P.P.O. is requested to send the
enclosures ~~sent~~ retained to him in Om. No.
4674 F/44.4 dated 19.9.44 for reference
and return

the P.P.O. ✓
D/W
13/2/45


27/1/45

27.2.45

VW
28/2/45

~~A Recommendation to P.P.O. is submitted and
approved.~~

From:
J.M.Balmforth Esq.,
Presidency Port Officer,
Madras.

To:
The Secretary to Govt.,
Public Works Department,
Madras.

No. 11448/44 dated 25--4--45.

SIR,

1149 Ports - Mangalore - North reclamation land -
Single lease deed - Government Memorandum
No. 4674-F/44-8 dated 28-2-45.

The papers called for in the Memo cited
above are enclosed.

11 27-60 *unika*

J.M. Balmforth
Presidency Port Officer

Encl: 17 sheets.

Sub: PORTS., Mangalore. & Nalli Reclamation
Draft Order for temporary grant. Appn
-x-

Read also: From the P.P.O. No. 1144 G1/44.4 d/ 24.7
L-55.7, Om. — do. — 4674 F/44.3 d/ 9.9.4
p 9 CF. From the — do. — 1144 G1/44.6 d/ 28.10.
p 12 CF. — do. — 1144 G1/44.6 d/ 13.11.
No. 13-4 CF. Om to the — do. — 4674 F/44.6 d/ 11.12.
p 15-21 CF. From the P.P.O. No. 1144 G1/44.8 d/ 1.2.
p 23 CF. Om to the — do. — 4674 F/44.8 d/ 28.1.
pp 25-33 CF. From the — do. — No. 1144 G1/44.9 d/ 25.1.

ORDER 1247 dated 7-5-45
Ms.

The draft ~~Order~~ ~~granting~~ of the 80
lease deed for the grant of the land in the Nalli
Reclamation area at the Port of Mangalore.

sum of Messrs. Mizai Krishna Annappa Pai & Co.
angathe, as accepted by the Government is
annexed hereto to this order.

1/5/45

1/5/45

1/5/45

Annexure (H. E. No. 19-21 CF) as covered

✓ The F. F. O. with
✓ Cll. S. Ka
✓ Bomdyke
✓ Revenued
✓ Legal De

(Copy to file)
Adopted
P.A.

Government of Madras
Abstract

Port - Mangalore - North Reclamation land - Draft Order for
temporary grant - Approved.

Public Works Department

S. No. No. 1277,

dated the 7th May, 1945.

Read the following papers:-

From the Presidency Port Officer, No. 1144 01/44-4, dated the 24th
July, 1944.

Memorandum to the Presidency Port Officer, 4674-F/44-3, dated the
9th September, 1944.

From the Presidency Port Officer, No. 1144 01/44-6, dated the
28th October, 1944.

From the Presidency Port Officer, No. 1144 01/44-6, dated 13th
November, 1944.

Memorandum to the Presidency Port Officer, No. 4674-F/44-6, dated
the 11th December, 1944.

From the Presidency Port Officer, No. 1144 01/44-8, dated the
1st February, 1945.

Memorandum to the Presidency Port Officer, No. 4674-F/44-8, dated
the 28th February, 1945.

From the Presidency Port Officer, No. 1144 01/44-9, dated the
25th April, 1945.

REMARKS:-

The draft of the single lease deed for the grant of the land
in the North Reclamation area at the Port of Mangalore in favour of
Messrs. Muzi Arihna Annappa & Co., Mangalore, as accepted by the

Government, is annexed to this order.

(By Order of His Excellency the Governor),

I. Ramunni Menon,
Secretary to Government.

To the Presidency Port Officer. (with encl. to be ret'd.)

" " Collector, South Kanara.

" " Board of Revenue.

" " Revenue Department.

" " Legal Department.

True Copy.

Forwarded / By Order.

Superintendent

DRAFT DEED OF GRANT.

The land specified in the Schedule is hereby granted to Messrs Nisar Krishna Annappa Pail & Co., Mangalore for temporary occupation for a period of 18 (Eighteen) years commencing from the 1st January 1943 subject to the following conditions to which the aforesaid grantee has agreed:-

(1) The grant is liable to cancellation if it be found that it was procured by fraud or was made under a mistake of fact or owing to misrepresentation or fraud or that there was an irregularity in the procedure. Cancellation on any of these grounds may be ordered by any authority to whom the assigning authority is administratively subordinate.

(2) In the event of such cancellation of the grant, the grantee shall not be entitled to compensation for any loss caused to him by the cancellation.

(3) The grantee shall not transfer to any other person the rights hereby conveyed to him, without the previous sanction of the authority which has issued the grant.

(4) The grantee shall so long as the grant be in force, pay in advance to the Government of Madras (hereinafter called the Government) annually a sum of Rs. 72/- Seventy-two only, clear of all deductions the first of such payments having been made on the _____ day of _____ and the subsequent annual payments to be made on the corresponding day of of the succeeding years.

(5) The grantee shall bear, pay and discharge all existing and future Municipal and other taxes, charges, assessments and outgoings payable in respect of the land as a result of his occupation of the same.

(6) The grantee shall not use the land or suffer it to be used except for the purposes of constructing godown and of ice which are the following:

Godown to store goods intended for shipment of cargo and office.

(7) The grantee shall erect the said Godown and office within a period of _____ years of the grant in accordance with the designs drawn to scale and approved by the Residency Port Officer, Madras.

(8) The land and the building(s) thereon shall not be used for political meetings.

(9) The grantee shall not, except as provided in condition (7) erect any buildings, fences or structures of a permanent or temporary character on the land without the previous written sanction of the assigning authority.

(10) The grantee shall maintain the land in a clean and sanitary condition to the satisfaction of the assigning authority and shall also maintain the structures, if any, erected thereon as aforesaid, in good and substantial repair to the satisfaction of the assigning authority.

(11) The grantee shall uproot, cut down or destroy such trees, plants, groves or bushes as, in the opinion of the assigning authority, it is necessary to uproot, cut down or destroy, to make the land fit for the purposes of constructing the said godown and office and may take them free of charge and dispose of them in any manner he likes. The grantee may level the ground by removing embanked pathways and fill up low-lying places on the land so as to make the ground fit for the purposes of constructing the said godown and office and may sow and cut the grass thereon and dispose of the same in any manner he likes and do any work on the land which, in the opinion of the assigning authority, is necessary for such purpose.

(12) The grantee shall remove immediately any unauthorized building, fence or structure, on receiving notice from the assigning authority and in default of immediate compliance with any such notice, the assigning authority shall have power to remove the same and the grantee shall, upon demand made by or on behalf of the assigning authority, pay the cost of removal and the cost of storing the materials removed and take delivery of

the same. The Grantee shall have no claim to any materials removed under this condition which shall not have been taken delivery of or the cost of removal and storage of which shall not have been paid by the grantee on demand made as aforesaid.

(13) The Grantee shall not, without the previous written sanction of the assigning authority, permit any person to use the land or any structure thereon or any portion of the land or structure except as provided in condition (4).

(14) The grantee shall, on the termination or revocation of this grant, restore the land to the assigning authority in as good a condition as is consistent with the foregoing conditions.

(15) The grantee shall be answerable to the Government for all or any injury or damage done to the land and other Government property thereon except as is permitted by the foregoing conditions.

(16) The assigning authority may revoke the grant wholly or in part, if the amount specified in condition (4) or any part thereof shall remain unpaid for 15 days after it has become payable, whether formally demanded or not, or if the grantee shall have broken any of the conditions of the grant herein contained and assume control or otherwise dispose of all or any part of the land and any buildings, fences and structures thereon and the grantee shall not be entitled to any compensation therefor.

(17) If the amount specified in condition (4) or any part thereof is in arrears, it shall also be competent for the assigning authority to recover the same from the grantee as an arrear of land revenue.

(18) If and whenever the Government shall require the land herein specified for a public purpose (the decision of the Presidency Port Officer, Madras as to the same being final) it shall be lawful for the assigning authority to give six calendar months' previous notice in writing of the intention to revoke the grant and on expiry of the period fixed in such notice the present grant and every clause or thing herein contained shall become null and void. The grantee shall be entitled to compensation only for the masonry structures put up on the land by the grantee in accordance with the conditions herein contained. The decision of the assigning authority as to the amount of compensation payable to the grantee shall be final and binding on the grantee and shall not be open to question or objection. The grant shall be terminable by the grantee by giving to the assigning authority six calendar months' previous notice in writing but without prejudice to any right of action or remedy of the assigning authority in respect of any antecedent breach of any of the foregoing conditions. The grantee shall not, in case of such revocation or termination be entitled to any compensation in respect of any buildings, fences and structures on the land or of any other improvements effected by the grantee to the land but he may before the revocation or termination of the grant takes effect, or if the grant is revoked without notice within such time as may be allowed by the assigning authority in that behalf, remove such buildings, fences and structures.

(19) If the grantee be desirous of taking a renewed grant of the land for a further term of twenty-five years from the expiration of the term hereby granted and shall prior to the expiration of such last mentioned term, give to the Presidency Port Officer, Madras, six calendar months' previous notice in writing and shall pay the sum hereby reserved and observe and perform the several conditions and agreements herein contained and on the part of the grantee to be observed and performed up to the expiration of the term, hereby granted the assigning authority will upon the request and at the expense of the grantee, grant to him a renewed grant for a further term of twenty-five years at such sum as may then be fixed but otherwise upon the like terms and under and subject to the like conditions and agreements as are herein contained in this grant other than this present condition for renewal and the provision for compensation for masonry structure contained in clause (18).

(20) This order of Grant cancels the indenture made on the 29th day of April 1938, between His Excellency the Governor of Madras and the grantee, in respect of a plot of part

(2), the grant includes all rights, easements and appurtenances belonging to the land or reputed to belong to it as usually held or enjoyed with it. The civil and customary rights of the Government and the public in roads and paths and rivers, streams and channels running through or bounding the land and the right of the Government to take water and minerals, both subject to the land are, however, reserved and are in no way affected by the grant.

Signature and designation of
Assigning Authority.

124(r), if any (to be specified).

Porto - Mangalore -

Porto Reclamation area.
lease of lands.

CN 16226/1/1111 from the P.P.O. no 1111/1111/1111

US: 1

Please see the P.P.O.'s endt. and endt.
at top 1-32 of

2. ~~one~~ ~~several~~ Portions of land in the
north reclamation area have been leased
to two brothers, who have since founded
~~have~~ founded a firm, of which they are the
partners. They are constructing a building
on the leased plots (which are in each other's
and they have requested that a single de-
ed for the ~~entire~~ entire ~~entire~~ may be given
to them. ~~The existing~~ The existing lease deeds are
for 25 years (from 1938 and 1940), ~~and~~
the Coll. of S. Kanara and the Govt.
Solicitor ~~can~~ consider that a single
deed may be taken in the name of the
firm. The P.P.O. solicits the orders of the
on the point.

3. State lands for non-agricultural
purposes are now granted for temporary
occupation under the Crown Grants Act
In this case, ~~as~~ since buildings are
under construction ^{on} the ~~lands~~ lands, ~~cannot~~ cannot be
~~classified~~ The question whether lands can
be granted under the Crown Grants Act
for the construction of permanent buildings
etc. has been raised in connection with
the application for the lease of lands in

Board have been called for.
Submitted. That this ~~for~~ may await
the decision in that file.

Rev. may perhaps see the ~~the~~ nearness

W. J. Thole
3 Aug 1944

W
Stephen R. R.

Rev. Dept. P. W. D. 4624 Aug 1

To U. S.

Please see the notes of P. W. D. on pp 1-2 above
in the ~~End of~~ from the Col. of S. Kansas on
p. 6 of.

2. The question regarding the form of the simple lease
to be executed in this case has to be decided
by after orders are passed in the linked file
which relates to the lease of lands in the South
clamation area. This Dept. may agree with
P. W. D.'s note at 'B' above.

The file may be returned to P. W. D.

+ ~~W~~
11-8-44

W
11-11-44

W

W

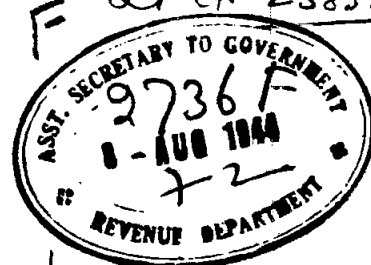
The reply from the P. W. D. office
has now been received and is
dealt with in the top file. This
may be and all orders are issued
on that file.

W. J. Thole
3 Aug 1944

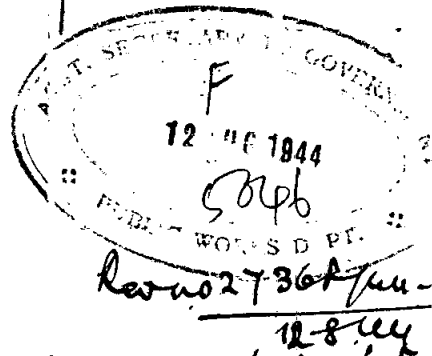
W

W
T. J. R.

Please see the note at p 3 of
in U. S. and see on at top 15-16 of in
U. S. For orders whether the P. W. D.



X
4 miles since to
the S. 3164 P. W. D.
15-11-44-
18-22 f @



in view to reviewing a ~~draft~~ ^{draft} ~~draft~~ order of
grant, embodying the conditions set out in 4
on.

Subject. to approval, a draft ~~order~~ is on

Rev. may see before in

PK 1166
31.8.44

4674 F/44-2

4.9.44



to H.S.

Rev. Sec.

Please see previous notes of Revenue on p. 2 and
and the P.W.D.'s note subsequent to it. The draft is
maybe perused and the file returned to P.W.

3036 F/44-1

4.

G. S. D.
7.9.44

Mann.

Done

10
9.9.44

15
p S.C.

Jameson on 12.4.44 F/44-38, 9.9.44

15
p S.C.F.

From the P.W.D. 11.4.44 9/44-6 13.11.44

15
W.S.

Please see the reference from the

made also letter no. at 174 on
22. - with. Orders have since been issued
after acceptance of the draft deed in respect
of the lease of lands in the South Reclamation
area vide G.O. no. M. 3164 PWD 15.11.44.

Two orders if the ^{proposal to lease grant a} single lease deed ^{terminable on 31.12.44}
for the North Reclamation area may be
approved, the order of Grant being in the form
~~herewith subject to the usual condition~~

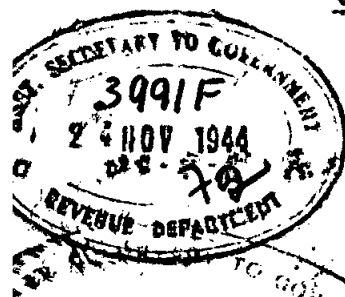
approved in the case of the South Reclamation

Revenue may see. ^{11/11/44} ^{22/11/44}

11/11/44
M. D.
M. D.

22/11/44 R.

To us.



[Revenue last memo mp. 3 ante]

Subsequent notes of G.O. no. 34

for reference and file n

P. W. D.
P. W. D.

M. D. M. D.

P.D.

Please see Rev. Dept. note at p 4 ante. A draft memo to the P.O. is submitted for approval, calling for draft lease deed for the approval of Govt.

for review

9.12.44

He Green

Key
11/12/44

[Issued as O.M. No. 4674 F/44-6 dated 11.12.44
From the P.P.O. No. 1144 G/44-8 dated 1.2.45

S.

Please see O.M. to P.P.O. in pp 13-14 CF. and pp 16 to 21 CF. The draft lease deed submitted by the P.O. are at pp 19-21 CF. The lease deed is in the form annexed to G.O. No. Ms. 3164 P.W (Mar) dated 15.11.44, with additional clause (Clause No. 20) providing for the cancellation of the existing lease deeds. The draft lease deed may be approved.

The file may perhaps be sent to Revenue and L. Dept. for perusal and for scrutiny of the draft.
4F/44-7
2.45

No. Status New/Lease



7/1/45
8.2.45

Randy

to 2.8.

Revenue Dept. saw on p. 4 ante. Subsequent order of Govt. and the draft lease deed on pp 19-21 may be perused and the file passed on to Leg. Dept. The correctness of the annual charge of Rs 72/- may be checked with the original leases, which are not in the file. Presumably the blanks in cl 4 of the draft order of Govt. will be filled in.

The alterations indicated in red ink in the
fourth order of grants may be made

mailed 2-21-65 P.W.D. Legal VA

Please see the remarks of the Revenue Department on p. 5 ante and that of the Legal Dept. above. The suggestion of the Legal Department may be agreed to. With regard to the remarks of the Revenue regarding the correctness of the annual charge of Rs. 72/-, it is submitted that ^{of the wholly original copy} pp 3-31 C.F. have been returned to the P.P.O. They may now be called for. A draft O.S. to the P.P.O. is submitted for approval. The presumption of the Revenue Department re: filling up of black columns is correct.

27/1/45

NO
TEST

27.2.45

Om. P.P.O. No. 4674 F/44.

930F

From the P.P.O. No. 1144G/45.9 d/ 25.4.45. dt 25.

44 25.

A.A.S.

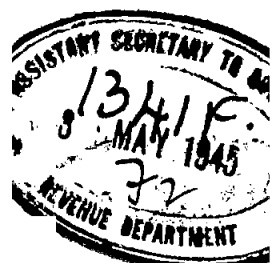
With reference to H. above, ~~the~~ ~~original~~ it is submitted that the Original leases are at Hk 41-48 CF. and 51-56 CF. It may be noted that the annual charge ~~for the~~ ~~separate~~ separate leases were Rs. 78/- per annum. ~~Herein~~ hereon, the annual charge for the single lease is Rs. 72/- ~~per annum~~ ~~the difference of Rs. 6/- per annum~~ ~~is~~ ~~apparently~~ ~~might be~~ ~~the~~ ~~contribution~~ ~~of~~ ~~that~~ ~~lease~~ ~~is~~ ~~Rs. 6/-~~ ~~per~~ ~~annum~~ ~~is~~ ~~Rs. 72/-~~ ~~may~~ ~~perhaps~~ ~~be~~ ~~accepted~~ ~~As~~ ~~draft~~ ~~is~~ ~~submitted~~ ~~for~~ ~~approval~~ ~~in~~ ~~the~~ ~~next~~ ~~month~~ ~~may~~ ~~see~~ ~~again~~.

$$R_c \leq t_c + 12$$

p. 43 CF. p. 53

x vide para. 19.55

P. W. D. UG



on p. 0 ante and the draft order may be perused. -
file may be returned to P. W.D.

5.87
1545 4545